



Nassau County

Department of _____

303-15

Staff Summary**FOR EXECUTIVE SESSION ONLY**

Subject Resolution to authorize settlement of outstanding Hotel/Motel Taxes
Department County Attorney
Department Head Name Carnell T. Foskey
Department Head Signature <i>Lisa Soler</i> Chief Deputy County Attorney
Project Manager Name

Date July 23, 2015
Vendor Name
Contract Number
Contract Manager Name

Proposed Legislative Action					
	To	Date	Approval	Info	Other
	Assgn Comm				
	Rules Comm				
	Full Leg				

Internal Approvals			
Date & Init.	Approval	Date & Init.	Approval
	Dept. Head	7/24/15	Counsel to C.E.
7/23/15	Budget		County Atty.
	Deputy C.E.	7/24/15	County Exec.

Purpose:

This resolution to authorize settlement of outstanding Hotel/Motel Taxes due to Nassau County from Alrose Allegria, LLC. The County will receive approximately \$907,000 to satisfy outstanding taxes and to bring this entity into compliance.

Matters

County of Nassau v. Alrosee Allegria, LLC. d/b/a Allegria Hotel; Alrose King David, LLC and Alrose Group, LLC.

Index No. 8209/14 ; Index No. 2018/15

Narrative

Two affirmative actions were brought by the County against defendant Alrose to enforce payment for outstanding Hotel/Motel taxes due to the County of Nassau by defendant Alrose. County and defendant have reached mutual agreement to satisfy these delinquent payments.

Recommendation:

Approve settlement resolution

RECEIVED
NASSAU COUNTY
CLERK OF SUPERIOR COURT
2015 JUL 24 P 3:02

EDWARD P. MANGANO
County Executive



CARNELL T. FOSKEY
County Attorney

Inter-Departmental Memo
FOR EXECUTIVE SESSION ONLY

To: Clerk of the Legislature
From: Office of the County Attorney
Date: July 23, 2015
Re: RESOLUTION – ORIG. DEPT. – Office of the County Attorney

An RESOLUTION authorizing the County Attorney to compromise and settle two actions both entitled *County of Nassau v. Alrose Allegria LLC, et al.*, Index Nos.8209/14; 15-002018, Supreme Court, Nassau County, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code.

The above-described document attached hereto is forwarded for your review and approval and subsequent transmittal to the County Legislature for inclusion upon their calendar.

CARNELL T. FOSKEY
County Attorney

A large, stylized handwritten signature in black ink, which appears to be "G. Podlesak", is written over the typed name of the Deputy County Attorney.

By: Gerald R. Podlesak
Deputy County Attorney

Attachments

RESOLUTION NO. - 2015

An RESOLUTION authorizing the County Attorney to compromise and settle two actions both entitled *County of Nassau v. Alrose Allegria LLC, et al., Index Nos.8209/14; 15-002018*, Supreme Court, Nassau County, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code.

APPROVED AS TO FORM
[Signature]
Deputy County Attorney

RECEIVED
NASSAU COUNTY
CLERK OF THE CLERK
2015 JUL 24 P 3:02

WHEREAS, the County of Nassau commenced two actions against Alrose Allegria, LLC, et al. entitled *County of Nassau v. Alrose Allegria LLC, et al., Index Nos.8209/14; 15-002018*, Supreme Court, Nassau County, seeking to recover unpaid hotel/motel occupancy taxes, and the parties have agreed to settle the actions pursuant to a “so ordered” stipulation contingent on this Legislature’s approval; and

WHEREAS, under the terms of the settlement, the County will receive at least \$907,481 representing delinquent taxes, penalties and interest; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the said actions and as a result thereof recommends that they be settled in the manner set forth in a “so ordered” stipulation; now, therefore, be it

RESOLVED, the County Attorney be and is hereby authorized and directed to settle the said actions for the consideration as set forth in the “so ordered” stipulation; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation Resolution is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.